

Message

From: gtsiolis@nj.rr.com [gtsiolis@nj.rr.com]
Sent: 8/1/2018 7:27:06 PM
To: 'Baynes, Sheila (ENRD)' [Sheila.Baynes@usdoj.gov]
CC: RMaguire@AZLandandWater.com; mdelaquil@bakerlaw.com; Darman, Leslie [Darman.Leslie@epa.gov]
Subject: RE: Florence - UIC

I will chime in after you write back to the group.

From: Baynes, Sheila (ENRD) <Sheila.Baynes@usdoj.gov>
Sent: Wednesday, August 1, 2018 3:23 PM
To: gtsiolis@nj.rr.com
Cc: RMaguire@AZLandandWater.com; mdelaquil@bakerlaw.com; 'Darman, Leslie' <Darman.Leslie@epa.gov>
Subject: RE: Florence - UIC

Thanks, George. I am going to write back to the group. I'll let you respond on behalf of FCI.

From: gtsiolis@nj.rr.com <gtsiolis@nj.rr.com>
Sent: Wednesday, August 1, 2018 3:07 PM
To: Baynes, Sheila (ENRD) <SBaynes@ENRD.USDOJ.GOV>
Cc: RMaguire@AZLandandWater.com; mdelaquil@bakerlaw.com; 'Darman, Leslie' <Darman.Leslie@epa.gov>
Subject: RE: Florence - UIC

Sheila,

FCI's preference for stipulated dismissal is just a preference.

If an unopposed motion is the only way to get the dismissal ball procedurally rolling soon, then FCI would support that route; but FCI would need to see a draft of the petitioners' unopposed motion and agree to its text before FCI consents to the "unopposed."

You may relate as much to the petitioners' attorneys, if that would help.

Thanks.

George A. Tsiolis
Attorney at Law
602-319-4021
201-408-4256
www.gtsiolis.com

Sent from remote

From: Baynes, Sheila (ENRD) <Sheila.Baynes@usdoj.gov>
Sent: Wednesday, August 1, 2018 2:28 PM
To: gtsiolis@nj.rr.com
Cc: RMaguire@AZLandandWater.com; mdelaquil@bakerlaw.com; Darman, Leslie
<Darman.Leslie@epa.gov>
Subject: RE: Florence - UIC

George,

Thanks for providing more information. I am still waiting to hear whether I can agree to the voluntary dismissal through an unopposed motion. I do not expect to be authorized to do a stipulation in these circumstances. Would FCI be willing to do the motion route instead?

Thanks,
Sheila

From: gtsiolis@nj.rr.com <gtsiolis@nj.rr.com>
Sent: Tuesday, July 31, 2018 2:39 PM
To: Baynes, Sheila (ENRD) <SBaynes@ENRD.USDOJ.GOV>
Cc: RMaguire@AZLandandWater.com; mdelaquil@bakerlaw.com; Darman, Leslie
<Darman.Leslie@epa.gov>
Subject: Re: Florence - UIC

Sheila,

FCI prefers stipulated dismissal because based on our experience it would result in quicker resolution of the petitions.

George A. Tsiolis
Attorney at Law
602-319-4021
201-408-4256
www.gtsiolis.com

Sent from remote

On Jul 31, 2018, at 2:08 PM, Baynes, Sheila (ENRD) <Sheila.Baynes@usdoj.gov> wrote:

George,

The government's preference would be to have the Petitioners file an unopposed motion. What is the reasoning for FCI's stated preference for a stipulation?

Thanks,
Sheila

From: gtsiolis@nj.rr.com <gtsiolis@nj.rr.com>
Sent: Monday, July 30, 2018 5:07 PM
To: Baynes, Sheila (ENRD) <SBaynes@ENRD.USDOJ.GOV>
Cc: RMaguire@AZLandandWater.com; mdelaquil@bakerlaw.com; Darman, Leslie <Darman.Leslie@epa.gov>
Subject: Re: Florence - UIC

Thank you, Sheila.

George A. Tsiolis
Attorney at Law
602-319-4021
201-408-4256
www.gtsiolis.com

Sent from remote

On Jul 30, 2018, at 5:02 PM, Baynes, Sheila (ENRD) <Sheila.Baynes@usdoj.gov> wrote:

George,

Thank you for your response. EPA is also inclined at this time not to consolidate the petitions. I have cc'ed Leslie Darman, EPA counsel, here.

Thanks,
Sheila

From: gtsiolis@nj.rr.com <gtsiolis@nj.rr.com>
Sent: Monday, July 30, 2018 3:54 PM
To: Baynes, Sheila (ENRD) <SBaynes@ENRD.USDOJ.GOV>
Cc: RMaguire@AZLandandWater.com; mdelaquil@bakerlaw.com
Subject: Re: Florence - UIC

Sheila,

FCI currently would oppose any effort at consolidation of -68 and -70 or delay of the -68 briefing schedule. If it comes up during the call with the Petitioners' tomorrow, then please let's discuss it before EPA stakes out a position.

George A. Tsiolis
Attorney at Law
602-319-4021
201-408-4256
www.gtsiolis.com

Sent from remote

On Jul 30, 2018, at 3:37 PM, Baynes, Sheila (ENRD) <Sheila.Baynes@usdoj.gov> wrote:

Hi George,

I am working on a tight deadline right now, and it would be difficult for me to make time to speak before our call with Barbara tomorrow. It would be helpful for me to know what topic you are interested in discussing. Perhaps we can schedule something after we learn what Barbara is interesting in talking about tomorrow.

Thanks,
Sheila

From: gtsiolis@nj.rr.com <gtsiolis@nj.rr.com>
Sent: Monday, July 30, 2018 2:24 PM
To: Baynes, Sheila (ENRD) <SBaynes@ENRD.USDOJ.GOV>
Subject: FW: Florence - UIC

Hi Sheila:

Perhaps you and I should have a talk first?

George A. Tsiolis
Attorney at Law
602-319-4021
201-408-4256
www.gtsiolis.com

Sent from remote

This email is intended only for the use of the party to which it is addressed and may contain information that is privileged, confidential, or protected by law. If you are not the intended recipient or have received this email in error, please delete it from your computer and contact 602-319-4021. Thank you.

From: Barbara Pashkowski <bpashkowski@gustlaw.com>
Sent: Monday, July 30, 2018 12:40 PM
To: 'gtsiolis@nj.rr.com' <gtsiolis@nj.rr.com>; Baynes, Sheila (ENRD) <Sheila.Baynes@usdoj.gov>
Cc: Ronnie Hawks (RPH@jhc.law) <RPH@jhc.law>; Jim Csontos (JLC@jhc.law) <JLC@jhc.law>
Subject: Florence - UIC

Sheila and George:

Do you have time for a short conference call with us tomorrow sometime between 9 and 11:30 a.m. Arizona time? Ronnie and I are open all morning. If the two of you are not available at the same time, we can arrange separate calls with you.

Please let me know this morning, as I am not available this afternoon.

Barbara U. Rodriguez-Pashkowski
Gust Rosenfeld P.L.C.
One East Washington Street, Suite 1600
Phoenix, AZ 85004-2553
602.257.7494 (direct)
602.254.4878 (fax)
bpashkowski@gustlaw.com

[bio](#) | [website](#)

IMPORTANT & CONFIDENTIAL: This message is from the law firm of Gust Rosenfeld P.L.C. and is for the intended recipient only. It is privileged and confidential information exempt from disclosure under applicable law.

If you are not the intended recipient, any copying, use or distribution is prohibited. If you received this message by mistake, please call me collect at 602.257.7494 and destroy the original message. Thank you.